

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Respondent,

No. CR S-98-0171 GEB

vs.

HELMI ZAKI MANSOUR,

Movant.

ORDER

Movant, a federal prisoner proceeding pro se, has filed a motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255. Since movant filed his motion, he has been re-sentenced. Also, movant has appealed the re-sentencing order.

Good cause appearing, IT IS HEREBY ORDERED that:

1. Movant's December 19, 2005 motion brought under 28 U.S.C. § 2255 is dismissed.

2. Within twenty days of this order, movant shall indicate whether or not he wishes to proceed with a § 2255 motion given the current posture of movant's case.

3. If movant wishes to proceed with a § 2255 motion, he shall file an amended motion within twenty days on the form to be provided by the Clerk of the Court. The form must be filled out completely and accurately.

1           4. Movant's failure to comply with any part of this order will result in a  
2 recommendation that this action be dismissed.

3           5. The Clerk of the Court is directed to send movant the court's form for filing a  
4 motion under 28 U.S.C. § 2255.

5 DATED: November 20, 2006.

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U.S. MAGISTRATE JUDGE

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9 mans0171.214(12.19.05)